



BY BOB LARSON

Superlawyer Melvin Belli: His younger partners claim he's no longer up to handling cases; he says they're plotting to take over his lucrative practice.

## *Brawl of the Big-Time Lawyers*

### Melvin Belli's Firm Is Splitting and It Isn't Pretty

6/2/92 By John Boudreau  
Special to The Washington Post

SAN FRANCISCO—Melvin Belli is going through yet another divorce. But this time it doesn't involve a wife.

The superlawyer has parted ways with four younger partners. Or, more correctly, they've walked out on him. Like many broken marriages, this one's nasty, naughty and not pretty.

"I've been married five times, and some of them were pretty decent people. These guys were bums," Belli bellows.

He's still brawling at age 85.

What do lawyers do when they disagree? They sue each other, of course. In January, Belli's mutinous colleagues dissolved Belli, Belli, Brown, Monziona, Fabbro & Zakaria, then dragged him into California Superior Court on charges that he

made partnership decisions without telling them, misappropriated trade secrets and plundered firm assets. A trial is set for October.

The lawyers, ordered by a judge not to speak about the case, are ungaggable.

Each side accuses the other of pilfering files, stealing clients and being downright greedy. They've battled over who gets custody of the telephone number. They've haggled over who gets to keep the office letterhead. They're in a tug-of-war over the firm's lawsuits, which include the downing of Korean Air Lines Flight 007 by a Soviet jet fighter, the Tailhook Association sexual harassment case, and breast implant victims.

More grievous still is the fact that all parties involved must continue to work under the same roof because they can't

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sell the building they own in a weak market. Meanwhile, a judge with diplomatic aplomb has set up boundaries in the two-story building, once a livery, to keep peace in the divided house of law.

Belli, his son and their associates hold court downstairs. The other side controls the second floor. They bump into each other in the kitchen, copy rooms and hallways. (A second-floor entrance is planned so they don't have to share the lobby.)

"Trying to split this place up is like Bosnia-Herzegovina," says Kevin McLean, an associate attorney in Belli's camp. Through a sun window in his office, he can spy the leader of the anti-Belli front, Richard E. Brown, in his upstairs office. "When he walks in and out, we get to look at each other. We give each other the finger salute."

The dispute has deteriorated to hand-to-hand combat. Belli punched one of the departed partners while in the demilitarized zone, the sidewalk outside. The firm's former business manager, whom the younger attorneys wanted to keep but Belli didn't, accused Belli of assault and battery—kicking, hitting and grabbing her hair.

"I pushed her. She fell and I fell. Now she's suing me," Belli says. "The story in Herb Caen's column [in the San Francisco Chronicle] was about my kicking her, literally, in the [rump]. It's not true. But I wish it were."

Just recently, one of Belli's four precious pooches did its duty on the rug near an opponent's office. "She got an extra bone for that," Belli says.

For the King of Torts, messy breakups are a way of life. When he was divorcing wife No. 5 in 1991, he accused her of having an affair with Archbishop Desmond Tutu and tossing one of Belli's dogs off the Golden Gate Bridge. (She denied both charges.) He doled out \$600,000 in legal fees, including a \$1,000 fine for repeatedly calling her "El Trampo."

Histrionics have always been a way of Belli's life, in and out of court. He pioneered the use of "demonstrative evidence"—entertaining juries with skeletons, ghoulish snapshots, witnesses on stretchers. The litigious Belli says he has collected \$700 million in damages for his clients during six decades of personal-injury practice. He works every day of the year except his birthday, July 29.

Belli once told the San Francisco Daily Journal, a legal newspaper: "If a man is innocent, any [idiot] can defend him, but it takes a good lawyer to find [virtue in a guilty person]." He has represented an eclectic group: Jack Ruby, Errol Flynn, stripper Carol Doda, Jim and Tammy Faye Bakker. Imelda Marcos once tried to hire him. He declined. He was already suing her family on charges of torture and other crimes committed against the people of the Philippines.

Whenever an airplane falls out of the sky, an earthquake rips open a metropolis or some other disaster befalls humanity, the phones at Belli's office begin to jingle. (He'd cross-examine God if he could.)

Belli, who wears cowboy boots to court, appears more upset about the recent passing of Wheldone Rhumprhoast IV, his Italian greyhound who died next to him in bed, than his dissolving partnership. He calls his former colleagues drunkards, frauds, cheats and incompetents who have won precious few trials and took four, five, six, seven times to pass the bar examination. And those are the nice things he has to say about them.

"We kicked their asses out of here," Belli says. "If you can't use the word 'ass' in your newspaper, I'd say 'brains.' But they don't have any."

The partners put the name-calling down as vintage bellicose Belli. "He's groping for things to throw at us," says Paul M. Monziona, one of the departed partners. Monziona, 36, says he passed both the California and Massachusetts bar exams the first time, and has practiced for 11 years. "He wants to make it a dirty fight."

Indeed, the upstairs attorneys view the dispute quite differently. Brown, who joined Belli in 1981, says the break came after a disagreement over the hiring of another partner. The rift, though, runs deeper. He says the elderly barrister has wreaked havoc in the office: Belli lets his dogs, which lack certain training, run loose on the plush carpet, and he flies into rages. Belli, he maintains, has become a caricature of his once-brilliant self.

"He'll tell you his dogs are his children. The reason he likes them is they can't talk back. . . . There are some who say he should have retired



years ago," says Brown, 43. "He cannot try a case. He can't remember clients' names. He forgets the essential facts and he doesn't keep current with the law. In the afternoon, he tends to fall asleep. He was trying a case up in Humboldt County and several times he fell asleep in court. It's embarrassing."

Belli's involvement with cases was decreasing, Monziona says. "We

were the ones who handled all of the complex, higher-profile cases," he says. "We were the ones responsible for getting results. Melvin was more or less our figurehead who would consult with us. His advice was very valuable, but he was incapable of taking any case from start to finish."

Says Brown: "We had hoped he would take on the role of elder statesman. He's the master of the two-minute sound bite."

Belli responds only by saying the younger partners were plotting to take over his practice.

"They owe everything to Mr. Belli," says one of the old lawyer's allies, McLean, 39, whom the ex-partners wanted to fire. "None of them has a stellar track record. This is the most disgusting display of greed."

David Sabih, a former Belli partner not connected with the dispute, says both sides have acted foolishly: Belli, for having partners instead of lesser-paid associates to assist him; the other attorneys, for cutting loose. Belli partners, he says, make about \$800,000 a year.

"His name is worth a billion dollars!" Sabih says. "He brings in 50 new cases a day. Belli could make 100 lawyers rich just by giving them his rejects. They shot themselves in their own foot. Believe me, they'll never make that kind of money on their own."

Sabih says he left the firm in 1986 because he could no longer sacrifice his personal life for his seven-day-a-week boss. While Belli may not be up on every new twist in the law, his former partner insists he learned more from the master than he did in law school.

"If you go to trial with him, it's the most exciting thing. Judges call him 'Dr. Belli' in front of the jury. He has gut reactions, like an artist. It's the 'X' factor, the mystique—the dis-

tingtion that makes somebody super-great and somebody else just good."

Says the courtroom curmudgeon: "I wouldn't know what the hell to do if I weren't trying cases. I sure as hell don't want to retire. I don't know of anything in life that I have more fun doing than practicing law. It's where the action is."

Sabih believes the War of the Litigators has rejuvenated the King of Torts. "Belli's a weird guy. He loves fights. It's giving him additional life."

Belli roars and grumbles when talking about the war, and his eyes begin to blaze. It's the kind of take-no-prisoners situation Belli loves. But he cautions civilians who might get caught in the cross-fire.

"Watch out when you go out of here," he says, a mischievous glint in his eye. "They might dump something on you when they see you coming out of my office."